

Plants established in growing media.

Relevant regulations: § 319.37-8 and § 319.5

Plants for planting at the time of importation into the United States must be free of sand, soil, earth, and other growing media, except as provided below:

Restricted articles from Canada may be imported in any growing medium, except that those from Newfoundland or from that portion of the Municipality of Central Saanich in the Province of British Columbia east of the West Saanich Road may only be imported in an approved growing medium if the phytosanitary certificate accompanying it contains an additional declaration that the plants were grown in a manner to prevent infestation by potato cyst nematodes (*Globodera rostochiensis* and *G. pallida*).

Plants for planting growing solely in agar or in other agar-like tissue culture medium may be imported established in such growing media.

Epiphytic plants (including orchid plants) established solely on tree fern slabs, coconut husks, coconut fiber, new clay pots, or new wooden baskets may be imported on such growing media. New wooden baskets must meet all applicable requirements in §§319.40–1 through 319.40–11.

Restricted articles of any of the following groups of plants may be imported established in an approved growing medium if the restricted article is accompanied by a phytosanitary certificate issued by the national plant protection organization of the country in which the restricted article was grown that declares that the restricted article meets the conditions of 7 CFR 319.8(e):

Alstroemeria

Ananas (if imported into Hawaii, bromeliads are subject to postentry quarantine in accordance with §319.7–7)

Anthurium

Artificially dwarfed (penjing) plants from the People's Republic of China of the following plant species: *Buxus sinica*, *Ehretia microphylla*, *Podocarpus macrophyllus*, *Sageretia thea*, and *Serissa foetida*.

Begonia

Gloxinia (= *Sinningia*)

Hyacinthus (hyacinth)

Nidularium (if imported into Hawaii, bromeliads are subject to postentry quarantine in accordance with §319.7-7)

Peperomia

Phalaenopsis from Taiwan

Polypodiophyta (= *Filicales*) (ferns)

Rhipsalidopsis from the Netherlands and Denmark

Rhododendron from Europe

Saintpaulia

Schlumbergera from the Netherlands and Denmark.

Approved growing media (except for *Hyacinthus*) are baked expanded clay pellets, coal cinder, coir, cork, glass wool, organic and inorganic fibers, peat, perlite, phenol formaldehyde, plastic particles, polyethylene, polymer stabilized starch, polystyrene, polyurethane, rock wool, sphagnum moss, ureaformaldehyde, stockosorb superabsorbent polymer, vermiculite, volcanic rock, or zeolite, or any combination of these media. Growing media must not have been previously used.

Hyacinthus may be established only in unused peat, sphagnum moss, or vermiculite growing media, or in synthetic growing media or synthetic horticultural foams, i.e., plastic particles, glass wool, organic and inorganic fibers, polyurethane, polystyrene, polyethylene, phenol formaldehyde, or ureaformaldehyde.

The approved articles listed above must be grown in compliance with the following written agreements signed by:

The plant protection organization of the country where grown and Plant Protection and Quarantine, and

The grower and the plant protection organization of the country where the article is grown, in which the grower agrees to comply with the provisions of the growing media regulations. Inspectors and representatives of the plant protection organization of the country where the article is grown must have access to the growing facility as necessary to monitor compliance.

The articles listed above must be grown in a greenhouse in which sanitary procedures adequate to exclude plant pests and diseases are always employed. The facilities must comply with the provisions of the regulations in 7 CFR 319.37-8.

The plants must be rooted and grown in an active state of foliar growth for at least four consecutive months immediately prior to importation into the United States, in a greenhouse unit that is used solely for articles grown in compliance with this paragraph. The articles must be grown from seeds germinated in the greenhouse unit; or descended from mother stock that was grown in the exporting country as outlined in 7 CFR 319.37-8.

Rhododendron spp from Europe, artificially dwarfed (penjing) plants of the species *Buxus sinica*, *Ehretia microphylla*, *Podocarpus macrophyllus*, *Sageretia thea*, and *Serissa foetida* from the People's Republic of China, and *Hyacinthus* spp have additional requirements.

See 7 CFR 319.37-8 for further information about the growing requirements for articles approved under this paragraph.

How does APHIS add plants to the list of restricted articles that may be imported established in growing media?

7 CFR 319.5 outlines the requirements for submitting requests to change the regulations in 7 CFR 319. Persons who wish to import plants that are not allowed importation established in growing media must file a request with the Animal and Plant Health Inspection Service (APHIS) in order for APHIS to consider whether the new commodity can be safely imported into the United States. The initial request can be formal (e.g., a letter) or informal (e.g., made during a bilateral discussion between the United States and another country), and can be made by any person. Upon APHIS confirmation that granting a person's request would require amendments to the regulations, the national plant protection organization of the country from which the commodity would be exported must provide APHIS with the information listed in 7 CFR 319.5(d) before APHIS can proceed with its consideration of the request. Requests that are not supported with this information in a timely manner will be considered incomplete and APHIS may not take further action on such requests until all required information is submitted.

Addresses. The national plant protection organization of the country from which commodities would be exported must submit the information listed in paragraph (d) of this section to: Commodity Imports Analysis and Operations, PPQ, APHIS, 4700 River Road Unit 140, Riverdale, MD 20737.

Information. The following information must be provided to APHIS in order for APHIS to consider a request to change the regulations in 7 CFR 319:

(1) *Information about the party submitting the request.* The address, telephone and fax numbers, and e-mail addresses of the national plant protection organization of the country from which commodities would be exported; or, for requests that address a multi-country region, the address, telephone and fax numbers, and e-mail addresses of the exporting countries' national and regional plant protection organizations.

(2) *Information about the commodity established in growing media proposed for importation into the United States.*

- (i) A description and/or map of the specific location(s) of the areas in the exporting country where the plants are produced;
- (ii) The scientific name (including genus, species, and author names), synonyms, and taxonomic classification of the commodity; and
- (iii) The months of the year when the commodity would be produced, harvested, and exported.

(3) *Shipping information:*

- (i) Information as to the projected quantity and weight/volume of the proposed importation, broken down according to varieties where applicable,
- (ii) The method of shipping in international commerce and under what conditions, including type of conveyance, and type, size, and capacity of packing boxes and/or shipping containers.

(4) *Description of pests and diseases associated with the commodity:*

- (i) The scientific name (including genus, species, and author names) and taxonomic classification of arthropods, fungi, bacteria, nematodes, virus, viroids, mollusks, phytoplasmas, spiroplasmas, etc., attacking the crop;
- (ii) Plant part attacked by each pest, pest life stages associated with each plant part attacked, and location of pest (in, on, or with commodity); and
- (iii) References.

(5) *Current strategies for risk mitigation or management.*

- (i) Overview of agronomic or horticultural management practices used in production of the commodity, including methods of pest risk mitigation or control programs; and
- (ii) Identification of parties responsible for pest management and control.

If APHIS determines that additional information is required in order to complete a pest risk analysis in accordance with international standards for pest risk analysis, we will notify the party submitting the request in writing what specific additional information is required. If this information is not provided, and is not available to APHIS from other sources, a request may be considered incomplete and APHIS may be unable to take further action on the request until the necessary additional information is submitted.

After a request works its way to the top of the priority list, APHIS will conduct a pest risk analysis based on guidelines established by the International Plant Protection Convention of the United Nations' Food and Agriculture Organization in response to each request to allow the importation of additional taxa of plants in growing media. The current guidelines are available upon request by writing to USDA, APHIS, PPQ, Center for Plant Health Science and

Technology, Plant Epidemiology and Risk Assessment Laboratory, 1017 Main Campus Drive,
Suite 2500, Raleigh, NC 27606.

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